

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
DOCKET NO. 3:08-cr-00617-W**

**BARNHARDT MANUFACTURING
COMPANY,**

Plaintiff,

vs.

ILLINOIS TOOL WORKS, INC.,

Defendant.

**ORDER
and
NOTICE OF HEARING**

THIS MATTER is before the Court on Defendant's Motion for Status Conference (Doc. No. 33) and Defendant's Motion to Expedite Consideration of the Motion for Status Conference (Doc. No. 34). Plaintiff opposes Defendant's Motion for a Status Conference (Doc. No. 33), but does not oppose the related Motion to Expedite. The Court, after reviewing the pleadings, has determined that a status conference would be helpful to the Court and the parties. Therefore, both motions shall be granted.

IT IS THEREFORE ORDERED that Defendant's Motion to Expedite Consideration of the Motion for Status Conference (Doc. No. 34) is GRANTED, and Defendant's Motion for Status Conference (Doc. No. 33) is also GRANTED.

The parties shall TAKE NOTICE that a status conference shall take place on Wednesday, March 3, 2010, at 9 a.m., before the undersigned in Courtroom #1 of the Charles R. Jonas Building. Although the Court may discuss the issue of argument on the pending claim construction briefs, the Court does not plan to hear arguments as to the merits of those briefs at this status conference. A separate hearing for oral argument on those motions, if necessary, will be scheduled at a different time by the Court.

IT IS SO ORDERED.

Signed: February 23, 2010



Frank D. Whitney
United States District Judge

